

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated January 10, 2007 has been received and its contents carefully reviewed.

Claims 1-5 and 9 are hereby amended and claims 10-12 are newly added. No new matter has been added. Accordingly, claims 1-12 are currently pending. Reexamination and reconsideration of the pending claims are respectfully requested.

In the Office Action, claim 3 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. First, the Examiner states that the claim is indefinite because of the term “the first water level.” Second, the Examiner states that “it is not clear what is referenced as determining the elapsed time.” (Office Action, page 2). The Applicant respectfully traverses both points in the rejection.

Regarding the Examiner’s first point, the Applicant respectfully submits that the term “the first water level” finds antecedent basis in independent claim 1, and that the term finds support in the specification. Regarding the Examiner’s second point, the Applicant hereby amends claim 3 to recite “wherein a microprocessor of the washing machine determines if a predetermined amount of time has elapsed since the water was supplied to the first water level,” which finds support in the specification and in FIG. 2. Accordingly, the Applicant respectfully requests that the Examiner withdraw the rejection

In the Office Action, claims 1-9 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,842,929 to Kim et al. (hereinafter “Kim”). The Applicant respectfully traverses the rejection.

Independent claim 1 is allowable in that it recites “resetting the initial second water level to a reset second water level based on the comparison; repeating the step of supplying water to the washing machine to the set first water level; sensing a new water level in the washing machine; and re-supplying water to the washing machine when the new water level is reduced to

the reset second water level.” Nothing in Kim teaches or suggests at least these features of the claimed invention.

In contrast, Kim teaches “the final washing load is determined by taking into account the time it takes for the minimum water level to be reached and maintained.” (Column 5, lines 60–62). Further, Kim teaches “the laundry is washed by a washing method preset for the determined final washing load,” and “the washing methods perform the washing in different washing and spinning time speeds, [and] different rotation speed of the washing drum.” (Column 7, lines 35–44). As such, Kim teaches maintaining a single minimum water level, and adjusting the washing and spinning time speeds. This is different from “re-supplying water to the washing machine when the new water level is reduced to the reset second water level,” as recited in independent claim 1. Accordingly, the Applicant respectfully submits that independent claim 1, and its dependent claims 2–8, are allowable over Kim.

Independent claim 9 is allowable in that it recites “resetting the minimum water level to a second minimum water level based upon the comparison between the number of times the tub is refilled and the predetermined number; repeating the step of supplying water to the washing machine to the initial water level; measuring a new water level in the washing machine; and re-filling water to the washing machine when the new water level is reduced to the second minimum water level.” Nothing in Kim teaches or suggests at least these features of the claimed invention. Accordingly, for the same or similar reasons as those regarding independent claim 1, the Applicant respectfully submits that independent claim 9 is allowable over Kim.

The application is in condition for allowance. Early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

Application No.: 10/720,748
Amdt. dated May 9, 2007
Reply to Office Action dated January 10, 2007



Docket No.: 9988.091.00

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: May 9, 2007

Respectfully submitted,

By

Mark R. Kresloff

Registration No.: 42,766

McKENNA LONG & ALDRIDGE LLP

1900 K Street, N.W.

Washington, DC 20006

(202) 496-7500

Attorneys for Applicant

Attachments